

Truro Board of Health Minutes
Tuesday, February 20, 2007
4:00 pm-Truro Town Hall

Members Present: Dianne Eib, Lucy Brown, Larry Pisapio, Tracey Rose, Mark Peters, Tim Rose—arrived at 4:06 pm.

Present: Patricia Pajaron, Susan Travers, Deb Camuso, Charleen Greenhalgh, Martha Ingrum, Gary Palmer, Moniz Rose, Alan Cabral, Brian Davis, Derek Burrit, Steve Desroche, Dick Seed, Mike Roderick, Steve Williams, Martha Sedgewick, Carmen Rose, Bob Weinstein, Nick Norman, Greg Morris, Greg L. Morris, Jim Downey, Zana Tesson, Fred Gaechter, Chris Lucy, Alan Wagg, Peter Morris, Clare Perry, Gary Palmer, Rose Kennedy, Caroline Herron, Susan Kadar, Art Hultin, Regan McCarthy,

Meeting Convened Dianne Eib convened the meeting at 4:00 pm.

Review/Approve Minutes for January 16, 2007 & February 6, 2007

Lucy Brown moved to approve the January 16, 2007, seconded by Mark Peters. **Vote: 5-0, unanimous.** Lucy Brown moved to approve the February 6, 2007 minutes, seconded by Larry Pisapio. **Vote: 3-0-2, Mark Peters and Dianne Eib abstained and Tim Rose arrived at 4:06 pm.**

Water Resources Oversight Committee Report

Mark Peters reported on the discussion concerning the grant for East Harbor project and the Wellfleet Chequesset Neck Area.

Emergency Preparedness Committee Report

Pat Pajaron did not have a report.

Planning, Conservation Commission and BOH Working Group Report

Next meeting scheduled for Friday, February 23, 2007 at 3:00 pm, Truro Town Hall.

Larry Pisapio moved to take the K/I Distribution agenda item out of order, seconded by Lucy Brown. Vote: 5-0, unanimous.

(Continued) K/I Distribution

The health agent informed the board that the emergency K/I distribution procedure has been put in place. Using the town census report we have enough tablets for all the citizens in Truro. Information from the manufacturer, instructions on how and when to take the potassium iodide and the tablets will be given to residents at their request. Emergency K/I kits will be available for all motels and condominium complexes. A one day training session for all business owners will be held in the future. Notices informing the public will be posted in all town buildings. **Larry Pisapio moved to approve the distribution of K/I in the Town of Truro by the health agent, seconded by Mark Peters. Vote: 5-0, unanimous.**

Request for a Waiver of Time to Upgrade to Title 5-Vogel & Stering, 19 Fisher Rd.

Nick Norman discussed the request for a three month waiver of time to upgrade to Title 5 for his clients, Vogel and Stering the potential buyers of 19 Fisher Road. A site and sewage plan dated January 27, 2007 has been prepared by Emily Beebe for a design flow for 440gpd. The buyer has requested the septic plans be revised to accommodate future expansion. The health agent recommends a three month extension from the closing date of March 19 2007 to expire June 19, 2007 with the condition that the premises not be occupied until the septic has been installed. **Lucy Brown moved to approve the three month extension of time beginning March 19, 2007 (closing date) to upgrade to Title 5 at 19 Fisher Road and will expire June 19, 2007 with the option to request an additional extension, seconded by Larry Pisapio for the sake of discussion.** Tim Rose questioned the amount of bedrooms the property owners planned to build on the 2.40 acre lot. **Vote: 5-0, unanimous.**

Request for a Waiver of Hydrogeological Study & Approval of well and septic plan-Reis, 450 Rte. 6

Alan Cabral, from Felco Engineering appeared before the Board as John Reis' representative. The request is for a waiver from a hydrogeological study from BOH regulations. The BOH regulations require a hydro. study for newly created subdivisions unless the applicant applies to BOH for a waiver. The health agent recommends approval for the request of a waiver from the hydro. study. **Mark Peters moved to approve the request for a waiver of the hydrogeological study for the Reis sub-division at 450 Route Six, seconded by Lucy Brown. Vote: 5-0, unanimous.** The proposed subdivision will consist of ten lots in Zone II of the Knoweles Crossing Wellfield. The well and septic layout, which was prepared by Felco Engineering, each of the lots shows the 150' setback from well to SAS as required by the BOH regulations. Lots 1, 5, 6, 8, 9 will be restricted to four bedrooms and Lots 2,3 ,4 and 7 are restricted to three bedrooms. This plan has been filed with the Truro Planning Board and approved on February 13, 2007. Mr. Cabral will provide the date the well and septic plan was submitted to the Planning Board. **Lucy Brown moved to approve the well and septic plan for Reis, 450 Route 6, seconded by Larry Pisapio. Vote: 5-0, unanimous.**

(Continued)Request for Title 5 variances-Nogueira, 10 Pilgrim's Path

Dianne Eib reported the property owners are not ready to present the information the Board requested. **Lucy Brown moved to continue the public hearing for the request for Title 5 variances until all information the Board of Health has requested is submitted to the Board of Health, seconded by Larry Pisapio. Vote: 5-0, unanimous.**

(Continued) Discussion of Proposed Bedroom Definition, 8 Snows Field Road

Dianne Eib recused herself from the discussion and Lucy Brown chaired the meeting.

(Continued on page 3)

(Continued) Discussion of Proposed Bedroom Definition, 8 Snows Field Road

A motion approved at the regular meeting of the Board held on February 6, 2007, stated the discussion would continue after a site visit had been conducted with the owners of 8 Snows Field Road. At the time of the public hearing the owners of 8 Snows Field Road had not contacted the health agent to schedule a site visit on their property. **Larry Pisapio moved to continue the discussion of the proposed bedroom definition until the owners are available for a site visit with two members of the Board of Health at 8 Snows Field Road, seconded by Tim Rose. Vote: 4-0-2, Tracey Rose, Tim Rose, Larry Pisapio and Lucy Brown moved to approve, Mark Peters abstained and Dianne Eib had recused herself.**

Miscellaneous Business

(Continued) Discussion of Board of Health Regulation Concerns with Deb Camuso

Dianne Eib read a list of concerns that Deb Camuso brought to the Board during a previous meeting (**attached to the minutes**). Ms. Eib countered with solutions and responses to Ms. Camuso's concerns. Included in the list were unreasonable time frames to upgrade as septic system, setback regulation for Title 5, new regulations, meeting time of the Board, and there is no appeal process in place. Ms. Brown reported that she personally had contacted over fifty realtors concerning the new regulations pertaining to the 150 ft. setback. It was noted that there were no realtors in attendance when the proposed changes to the regulations was discussed. Ms. Brown also read a statement addressing her position on the new regulations and other issues (**attached to the minutes**). Deb Camuso felt that the citizens of Truro are not properly informed of public hearings or changes in regulations. Ms. Camuso realizes that public notices and hearings are placed in the legal section of local newspapers but that's not in a place that people look. Clare Perry agreed with Ms. Camuso on the need to publicize hearings in more places than just the newspaper, town hall and our website. Tim Rose commented that he didn't see why there was a problem with the time that the Board met because there were so many working people in the audience today at the regular meeting time of 4:00 pm. Moniz Rose was unaware that the Board of Health had the power to change it's regulations without a vote at town meeting. Ms. McCarthy, president of the Truro Non-Resident Taxpayers Association spoke on behalf of her members and questioned how can non-resident's be more informed with what is going on in Truro? Fred Gaechter and Gary Palmer commented on the need and the push to get more information on the town's website. The website will be a tool that will be invaluable to non-resident's and resident's alike. Ms. McCarthy also wanted clarification on the definition of a bedroom and the implications of a deed restriction. Ms. Eib asked Ms. McCarthy to send her concerns to the Board in writing. Lucy Brown suggested a link from our website be placed on the non-resident taxpayer's website in order to share information. Mike Roderick was not in favor of the 150 ft. setback and outlined what could potentially happen if a property owner was granted a variance in the past. Brian Davis wanted to know what the Board was planning on doing with the 225 signatures Ms. Camuso had collected to amend the 150 ft. setback regulation. (Continued on page 4)

(Continued) Discussion of Board of Health Regulation Concerns with Deb Camuso

Rose Kennedy spoke on the hardship the amended regulations have caused citizens. Dick Seed felt the way to get information out is to send out a monthly newsletter like the Truro Public Library. Mr. Seed wanted to change the regulations back to a 100 ft. setback because after looking at the new bedroom definition regulation his house is now non-conforming. Bob Weinstein asked how the Board came to the decision and what the science was in changing the setback from 100 ft. to 150 ft. Jim Downey talked about the problems that beach point will encounter with the regulations. Steve Williams wondered why the Board would want to grant a variance to property owners if they didn't meet the setback. Because the variance would only create more work for the health agent and the Board. Mr. Williams felt that if there was an area in Truro that required mandatory well testing the town should absorb the cost. Art Hultin asked each Board member to explain how and why they each voted on the 150 ft. setback. Dianne Eib decided to close the discussion on the amendments to the regulations and Ms. Camuso's concerns and discuss changing the regulations at the next regular meeting of the Board. Clare Perry asked that the Board not discuss this important topic in an email it should be discussed in open session. **Mark Peters moved to revert back to the 100 ft. setback and will agree to waive the 50 ft. setback until a public hearing to amend the regulations has been held and to post a public hearing notice in the local newspaper to discuss amending the Board of Health regulations pertaining to the 150 ft. setback, seconded by Lucy Brown for the sake of discussion.** Dick Seed asked to include the bedroom definition in the amendment to the Board of Health's regulations. **Vote: 5-0, unanimous. Lucy Brown moved to hold a public hearing to discuss the definition of a bedroom at the next regular meeting and to publish the notice in the local newspaper, seconded by Tim Rose. Vote: 5-0.**

(Continued) Discussion of Board of Health Procedures-G. Palmer

Mark Peters moved to continue the discussion of Board of Health Procedures until the next regular meeting, seconded by Larry Pisapio. Vote: 5-0, unanimous.

(Continued) Discussion of FY08 Budget

Lucy Brown moved to approve the FY08 Board of Health Budget, seconded by Larry Pisapio. Vote: 5-0, unanimous.

Other

Microphones

Lucy Brown asked that the microphones be used at the next meeting so that the audience can hear what is being said.

11 Old Firehouse Road

The health agent received the water sample results back from Barnstable County and there were elevated manganese. Abutters have received notice of the elevated levels. Ms. Giordano will appear at the next meeting of the Truro Board of Health.

Adjournment

Larry Pisapio moved to adjourn at 5:45 pm, seconded by Tim Rose. Vote: 5-0, unanimous.

Dianne Eib, Chairman

Lawrence Pisapio

Lucy Brown, Vice-Chairman

Tim Rose

Mark Peters, Clerk

Tracey Rose, Alternate